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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/650,712	08/29/2000	Rico Mariani	MS1-579US	1048
22801	7590	07/20/2006	EXAMINER	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			CHEN, SHIN HON	
			ART UNIT	PAPER NUMBER
			2131	

DATE MAILED: 07/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/650,712

Applicant(s)

MARIANI ET AL.

Examiner

Shin-Hon Chen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6, 10, 19, 21 and 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 10, 19, 21, and 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-4, 6, 10, 19, 21, and 22 have been examined.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 6, 10, 19, 21, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Balasubramaniam et al. U.S. Pat. No. 6499109 (hereinafter Bal) in view of Cox et al. U.S. Pat. No. 6253323 (hereinafter Cox).

4. As per claim 1, Bal discloses a method, comprising: delivering the web page to an electronic device capable of authenticating the web page and executing at least a portion of the web page after the web page is authenticated based on the URL and *associating an authentication code with a web page only if the web page includes code to invoke a control object* (Bal: column 2 line 43 – column 3 line 19; column 6 lines 20-29: check whether the web site is authorized web site *when the software is invoked by the script*). Bal does not explicitly disclose associating a digital signature with a web page and authenticating the web page based on the digital signature. However, Cox discloses associating digital signatures to web contents including web pages are well known in the art (Cox: column 5 lines 7-21 and column 5 line 54 – column 6 line 12). It would have been obvious to one having ordinary skill to use the URL to

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determine whether digital signature associated with the web page is secure when script is invoked. Therefore, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention to combine the teachings of Cox within the system of Bal because associating digital signature to document such as web page provides users with certain confidence that it is safe to execute programs invoked by the web pages they are visiting.

5. As per claim 2, Bal as modified discloses the method as recited in claim 1. Bal as modified further discloses the associating further comprises attaching the digital signature to the web page (Cox: column 5 lines 66 – column 6 line 3: the digital certificate can be incorporated in stored electronic signal).

6. As per claim 3, Bal as modified discloses the method as recited in claim 1. Bal as modified further discloses in an event that the web page does not include code to invoke the control object, delivering the web page without a digital signature (Bal: column 7 lines 29-51: **determine** that a control object **is present** in the web page and then authenticate whether the web site is authorized).

7. As per claim 4, Bal as modified discloses the method as recited in claim 1. Bal as modified further discloses wherein the web page includes a confirmation module that is used by the electronic device to authenticate the digital signature (Cox: column 7 lines 1-21: approve URL; Bal: column 7 lines 41-52).

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8. As per claim 6, Bal as modified discloses the method as recited in claim 1. Bal as modified further discloses the web page is generated in an active server page (ASP) environment (Bal: column 5 lines 8-28: the ActiveX compatible browsers).

9. As per claim 10, Bal discloses the method as recited in claim 1. Bal as modified further discloses designating one or more sources of a web page authorized to invokes a control object (Bal: column 6 lines 20-28: use the ICSP-authorized web site).

10. As per claim 19, Bal as modified discloses the system as recited in claim 1. Bal as modified further discloses wherein the control object includes a confirmation module configured to authenticate the control object (Bal: column 6 lines 26-29).

11. As per claim 21, Bal as modified discloses the method as recited in claim 19. Bal further discloses wherein the confirmation module is further configured to determine if the web page comes from a source that is authorized to invoke the control object and the control object is invoked only if the source of the web page is authorized to invoke the control object (Bal: column 7 lines 26-51).

12. As per claim 22, Bal as modified discloses the method as recited in claim 19. Bal as modified further discloses wherein the confirmation module is called by the web page prior to the web page invoking the control object (Bal: column 7 lines 26-51).

Response to Arguments

13. Applicant's arguments filed on 5/19/06 have been fully considered but they are not persuasive.

Regarding applicant's remarks, applicant argues that the references do not disclose associating the digital signature with a web page only if the web page includes code to invoke a control object. However, examiner disagrees. Bal reference discloses that the first check takes place when the script is detected and running on client compute to invoke the software (Bal: column 6 lines 22-25). Therefore, applicant's argument is respectfully traversed because associating with a digital signature occurs when the script is detected and running on client computer.

Conclusion

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shin-Hon Chen whose telephone number is (571) 272-3789. The examiner can normally be reached on Monday through Friday 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shin-Hon Chen
Examiner
Art Unit 2131

SC


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100